

**DR. ALLEN DILLON**

1                   IN THE UNITED STATES DISTRICT COURT  
2                   FOR THE MIDDLE DISTRICT OF ALABAMA  
3                   EASTERN DIVISION

4                   CHRISTOPHER B. EILAND, DVM, MS,

5                   Plaintiff,

6                   CIVIL ACTION

7                   VS.

FILE NO. 2005-CV-459-VPM

8                   DR. BYRON L. BLAGBURN, individually  
9                   and in his official capacity; DR. CHARLES  
10                   HENDRIX, individually and in his official  
11                   capacity; DR. JOSEPH JANICKI, individually  
12                   and in his official capacity; DR. STEPHEN  
13                   MCFARLAND, individually and in his official  
14                   capacity; DR. ED RICHARDSON, in his official  
15                   capacity as President of Auburn University;  
16                   and DR. LAUREN WOLFE, individually and in his  
17                   official capacity,

18                   Defendants.

**ORIGINAL**

15                   \*           \*           \*           \*           \*

16                   DEPOSITION OF ALLEN RAY DILLON, DVM,  
17                   MS, Diplomate ACVIM, taken on behalf of the  
18                   Plaintiff, pursuant to the stipulations set  
19                   forth herein, before Kimberly B. Faucette,  
20                   Certified Court Reporter and Notary Public, at  
21                   Samford Hall, Auburn University, Auburn,  
22                   Alabama, commencing at approximately 11:00 a.m.,  
23                   Monday, July 24th, 2006.

1 Q Could you give me just a brief history of  
2 your education?

3 A Do you want a lot of detail or just  
4 summary?

5 Q Summary.

6 A I graduated from vet school at Texas A&M in  
7 1973, did an internship here at Auburn, and  
8 did a Master's at Auburn and got board  
9 certified in internal medicine and actual  
10 exam and finished an MBA in 2001. That is  
11 the summary.

12 Q And are you currently employed at Auburn  
13 University?

14 A Yes.

15 Q And how long have you been employed here?

16 A Thirty-three years.

17 Q What is your position?

18 A Professor of Internal Medicine at the  
19 Department of Clinical Sciences, at the vet  
20 school.

21 Q Now, as Professor of Internal Medicine, do  
22 you have a concentration in parasitology?

23 A No. Internal medicine.

1 system that matches students with programs.

2 So we have a match. And then once we take  
3 on a graduate student, we see which  
4 professor best fits their particular  
5 interests. If they fit their interest,  
6 then you become their major professor;  
7 otherwise, someone else does.

8 Q Are you familiar with Doctor Chris Eiland?

9 A Yes.

10 Q Would you have fit the match for a major  
11 professor of his?

12 A No.

13 Q And could you explain why that would be?

14 A Because I only am major professor on people  
15 who are in our program in internal  
16 medicine, doing a residency, training  
17 toward certification, and Chris would not  
18 fit that nor did he apply for that nature  
19 of a position.

20 Q Did you have any discussions with Chris  
21 Eiland about the possibility of being a  
22 major professor of his?

23 A At one point, he brought up the subject,

1           some nonclinical programs, and you usually  
2           select people who bring the most to that  
3           project and will add to the intellectual  
4           success of that project.

5   Q    Do you know why you were a member of his  
6           Master's thesis?

7   A    Probably because I have done a lot of  
8           research in feline heartworm disease and  
9           already had the project going and already  
10           had the money. That is probably one of the  
11           main reasons.

12   Q    What is the process of selecting a major  
13           professor?

14   A    Usually, it requires a match between the  
15           student's interests, the major professor's  
16           interests, and the accessibility of funds  
17           to fund that project if a student is not  
18           willing to fund that themselves.

19   Q    Have you ever stepped down or resigned as a  
20           major professor for a graduate student?

21   A    Not that I remember, no.

22   Q    Are you aware of that occurring at this  
23           university?

1                   that is quite commonly done.

2   Q    Are there situations where a major  
3                   professor may resign because of just  
4                   problems with the student?

5   A    I am sure there are. I am not personally  
6                   aware of any.

7   Q    Do you know why Doctor Blagburn resigned as  
8                   Chris Eiland's major professor?

9                   MR. KNIGHT: Object to the  
10                   form.

11   Q    Well, let me ask you this, first: Are you  
12                   aware that Doctor Blagburn resigned?

13   A    No. My recollection is that Chris finished  
14                   his Master's and the committee passed -- He  
15                   got a Master's degree and never pursued the  
16                   Ph.D. degree, or whatever discussions  
17                   happened, it did not come to fruition.

18                   That is my recollection, that the Master's  
19                   was successfully completed and it simply  
20                   ended there.

21   Q    You are not aware that Chris Eiland did  
22                   enroll in the Ph.D. program?

23   A    If he did, I never saw -- if he did, I am

1 department.

2 Q Is it possible to enroll in a Ph.D. program  
3 and go six months and not have a plan of  
4 study and not have an advisory committee  
5 selected?

6 A I don't think so. Not to my knowledge.

7 Q What sort of circumstances would create  
8 that scenario?

9 MR. KNIGHT: Object to the  
10 form.

11 A The enrollment in the Ph.D. is a separate  
12 application from the plan of study. I  
13 can't imagine someone enrolling with a plan  
14 of study without having a formal  
15 application in the graduate school. I  
16 don't think -- a lot of things have changed  
17 at Auburn over the years, and there have  
18 been some rule changes, but I don't think  
19 it is possible to do that, frankly.

20 Q Can you walk me through the steps of a  
21 Ph.D. student who has enrolled in the Ph.D.  
22 program, has been accepted, then what is  
23 the next step towards getting the advisory

1                   histopath, and some of the serology.

2 Q And that program is still in place or is  
3 ongoing?

4 A It is ongoing.

5 Q . Is there a graduate student that you are  
6 aware of that took Chris Eiland's place, as  
7 far as the research?

8 A No.

9 Q Are you a major professor now for a  
10 student?

11 A Yes.

12 Q How many students?

13 A One.

## 14 Q Just one?

15 A Yes.

16 Q When did you become the major professor?

17 A I guess when he decided that my area of  
18 research is the area he wanted to  
19 concentrate in.

20 Q And when was that?

21 A Probably at the time he started. As I  
22 remember, it was pretty much when he  
23 started.

1 Q And does that student now have a plan of  
2 study?

3 A I believe so.

4 Q In terms of time, from enrollment and  
5 selecting you as the major professor and  
6 getting the plan of study, how much time  
7 was there?

8 A We require within a semester. The graduate  
9 school, I think, requires it within two  
10 semesters. Here again, that is separate  
11 from the enrollment in the graduate  
12 program. A plan of study for a Master's  
13 can be changed with the signature of the  
14 advisory committee at any point.

15 Q Did you ever hear that Chris Eiland had  
16 been kicked out of the Ph.D. program?

17 MR. KNIGHT: Object to the  
18 form.

19 A Again, I was never aware that Chris was in  
20 the Ph.D. program.

21 Q You never did hear that?

22 A No.

23 Q Did Chris Eiland ever come and talk to you

1                   after Doctor Blagburn resigned as his major  
2                   professor?

3   A    Here again, I am not aware of Byron  
4                   necessarily resigning as his committee.  
5                   Chris did approach me as to whether or not  
6                   I had any funding. But, here again, I am  
7                   not aware that Chris ever started a Ph.D.

8                   So, your question is a disconnect  
9                   from my recollection.

10   Q    So you have not had any discussions with  
11                   Doctor Blagburn about being a major  
12                   professor for Chris Eiland?

13   A    No. That is not something I would have  
14                   done, because I don't do that depth of pure  
15                   parasitology research. I would not be  
16                   qualified.

17   Q    Had Doctor Blagburn resigned as Chris  
18                   Eiland's major professor, who else could  
19                   have taken that position?

20                   MR. KNIGHT: Object to the  
21                   form.

22   A    Here again, it depends on the  
23                   investigation. Numerous people can oversee

## 1 R E P O R T E R ' S C E R T I F I C A T E

2 STATE OF ALABAMA)

3 MONTGOMERY COUNTY)

4 I, Kimberly B. Faucette, Certified  
5 Court Reporter and Notary Public in and for the  
6 State of Alabama at Large, do hereby certify on  
7 Monday, July 24, 2006, that pursuant to notice  
8 and stipulation on behalf of the Plaintiff, I  
9 reported the deposition of ALLEN RAY DILLON,  
10 DVM, MS, Diplomate ACVIM, who was first duly  
11 sworn by me to speak the truth, the whole truth,  
12 and nothing but the truth, in the matter of  
13 CHRISTOPHER B. EILAND, DVM, MS, Plaintiff,  
14 versus DR. BYRON L. BLAGBURN, individually and  
15 in his official capacity; DR. CHARLES HENDRIX,  
16 individually and in his official capacity; DR.  
17 JOSEPH JANICKI, individually and in his official  
18 capacity; DR. STEPHEN McFARLAND, individually  
19 and in his official capacity; DR. ED RICHARDSON,  
20 in his official capacity as President of Auburn  
21 University; and DR. LAUREN WOLFE, individually  
22 and in his official capacity, Defendants, Civil  
23 Action No. CV-459-VPM, now pending in the United

1 States District Court for the Middle District,  
2 Eastern Division of Alabama; that the  
3 foregoing colloquies, statements, questions and  
4 answers thereto were reduced to 30 typewritten  
5 pages under my direction and supervision; that  
6 the deposition is a true and accurate  
7 Transcription of the testimony/evidence of the  
8 examination of said witness by counsel for the  
9 parties set out herein; that the reading and  
10 signing of said deposition was waived by witness  
11 and counsel for the parties.

12 I further certify that I am neither of  
13 relative, employee, attorney or counsel of any  
14 of the parties, nor am I a relative or employee  
15 of such attorney or counsel, nor am I  
16 financially interested in the results thereof.  
17 All rates charged are usual and customary.

18 This the 28th day of July, 2006.

19  
20   
21

21 Kimberly B. Faucette  
22 Certified Court Reporter and  
23 Notary Public  
State of Alabama at Large  
AL-CSR-440